

**MEDICAL LICENSING BOARD OF INDIANA**

**INDIANA GOVERNMENT CENTER SOUTH  
402 WEST WASHINGTON STREET  
ROOM W064  
INDIANAPOLIS, INDIANA 46204**

**MINUTES OF FEBRUARY 23, 2006**

N. Stacy Lankford, M.D., President called the meeting to order at 10:30 a.m. and declared a quorum in accordance with IC 25-22.5.

**Members Present:**

N. Stacy Lankford, M.D., President  
Barbara Malone, J.D., Consumer Member,  
Secretary  
Ralph Stewart, M.D.  
Richard Krejsa, D.O.  
Worthe Holt, Jr., M.D., Vice President  
Bharat Barai, M.D.  
William H. Beeson, M.D.  
(arrived at 12:05p.m.)

**Staff Present:**

Michael Rinebold, Board Director  
Professional Licensing Agency  
Jody Edens, Assistant Board Director  
Professional Licensing Agency  
James Schmitt, Deputy Attorney General  
Office of the Attorney General

The Board voted to adopt the agenda and addendum as amended.

Krejsa/Holt, 4/0/0

The Board voted to adopt the minutes of the January 26, 2006 meeting.

Holt/Krejsa, 4/0/0

## **PROBATIONARY APPEARANCES**

**(Before only one member of the Board)**

The physicians listed below, appeared per their order and no other issues arose during the probationary appearance:

Kevin McCallum  
Stephanie Sharpe

Robert Mitrione  
Arnaldo Trabucco

Kevin Smith, P.A.  
Glen Ballengee

Steven Stoller – appeared for his personal appearance and requested that the Board issue a correction to his probation order. It stated that he may not treat anyone under the age of 18 but then states if he does he must notify the guardian of his problem. The section will be changed to that if he does treat any patients under the age of 18 he must inform the guardian of his problem. The Attorney General's office did not object to this change. After discussion the Board moved to APPROVE the change.

Stewart/Krejsa, 5/0/0  
(Dr.'s Beeson & Holt were not in attendance for this matter)

## **PERSONAL APPEARANCES**

**(Before only one member of the Board)**

### **INITIAL APPLICANTS**

The Board approved the following Personal Appearance recommendations submitted by all attending Board members.

Beeson/Holt, 4/0/0  
(Dr's Beeson, Stewart and Ms. Malone were not in attendance)

*William E. Akin, H.A.D.*  
*Godwin N. Njoku, M.D.*  
*James Photiadis, M.D.*  
*Kenneth L. Richmond, M.D.*  
*Mark J. Slepín, M.D.*

*Bart Scott Brown, M.D.*  
*Charles L. Okoro, D.O.*  
*Ali Asim Pitafi, M.D.*  
*Malwinder Singha, M.D.*

The following personal appearances were continued:

*Adeeb Alshahrour, M.D.*  
*Edward Lanigan, M.D.*  
*Branden Christodoulos, M.D.*

*Robert V. Cardia, M.D.*  
*George S. Mosby, M.D.*

The following personal appearance appeared before the full Board:

**Thomas M. Barrett, M.D., Initial Application** – Dr. Barrett appeared before the Board concerning a positive response on his initial application and was not represented by counsel. Dr. Barrett's license was suspended in the State of California for treating patients for pain. He took the SPEX twice and received scores of 71 and 73. Passing is 75. Dr. Stewart recommended that the Board either deny or give the option to withdraw the application for licensure. After discussion the Board gave the applicant the option to withdraw. Dr. Barrett requested to withdraw his application. The Board moved to APPROVE his withdrawal.

Lankford/Krejsa, 4/0/0  
(Dr. Beeson and Ms. Malone were not in attendance)

#### **RENEWAL APPLICANTS**

**John W. Graneto, D.O., Renewal Application** – Dr. Graneto appeared before only one member of the Board as a personal appearance for his renewal application. The Board approved the Personal Appearance recommendation submitted by Dr. Stewart.

Stewart/Lankford, 5/0/0  
(Dr. Beeson and Ms. Malone were not in attendance)

**Gregory S. Masimore, M.D., Renewal Application** – Dr. Masimore appeared before the full Board concerning a positive response on his renewal application and was not represented by counsel. Dr. Masimore informed the Board that he has met with Candace Backer concerning a contract with ISMA. His license in Ohio is currently on Probation. After discussion the Board moved to renew Dr. Masimore's license on agreed INDEFINITE PROBATION.

Barai/Stewart, 5/0/0  
(Dr. Beeson and Ms. Malone were not in attendance)

## **ADMINISTRATIVE HEARINGS**

The following hearing was continued.

**Christ Pete Koulis, M.D., License No. 01042036A, Cause No. 2005 MLB 0031**

**Williard H. Hagenmeyer, D.O., License No. 02001155A, Cause No. 2003 MLB 0030**

Respondent did not appear in person and was not represented by counsel regarding a Final Hearing scheduled before the Board. The State of Indiana was represented by Steven Douglas, Deputy Attorney General and the court reporter sworn in for this matter was Lindy Meyer. The Respondent's counsel has asked for a continuance of this matter. Mr. Douglas informed the Board that the State does not object to the continuance. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to CONTINUE this matter.

Krejsa/Barai, 6/0/0

(Dr. Stewart was out attending a settlement conference)

**Deborah Anne Bartz, M.D., License No. 01057836A, Cause No. 2005 MLB 0059**

Respondent did not appear in person and was not represented by counsel regarding a Final Hearing scheduled before the Board. The State of Indiana was represented by Steven Douglas, Deputy Attorney General and the court reporter sworn in for this matter was Lindy Meyer. The Respondent requested a continuance of this matter to work on a settlement agreement. The State has no objection to a continuance. After having considered the evidence presented and taking official notice of its file in the matter the Board moved to CONTINUE this matter.

Beeson/Krejsa, 6/0/0

(Dr. Stewart was out attending a settlement conference)

**Glen David Steeb, M.D., License No. 01039014A, Cause No. 2005 MLB 0056**

Respondent did not appear in person and was not represented by counsel regarding a Final Hearing scheduled before the Board. The State of Indiana was represented by Steven Douglas, Deputy Attorney General and the court reporter sworn in for this matter was Lindy Meyer. An agreement between the Respondent and the Attorney General's Office was presented to the Board by Steven Douglas, Deputy Attorney General. The agreement includes INDEFINITE SUSPENSION until his Louisiana license is reinstated and a FINE of \$2,000. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to APPROVE the agreement.

Barai/Krejsa, 6/0/0

Let the record reflect that Dr. Stewart rejoined the meeting.

**Allen Dearing Scales, M.D., License No. 01018284A, Cause No. 2005 MLB 0057**

Respondent did not appear in person and was not represented by counsel regarding a Final Hearing scheduled before the Board. The State of Indiana was represented by Steven Douglas, Deputy Attorney General and Linda Batton, Deputy Attorney General and the court reporter sworn in for this matter was Lindy Meyer. Dr. Scales has been disciplined in another state. He only contacted Mr. Douglas the day before this meeting and the State is ready to proceed. The State requests a notice of proposed default. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to issue a NOTICE OF PROPOSED DEFAULT.

Beeson/Stewart, 7/0/0

**John Walter Bulger, M.D., License No. 01034598A, Cause No. 2005 MLB 0022**

Respondent did not appear in person and was not represented by counsel regarding a Final Hearing scheduled before the Board. The State of Indiana was represented by Steven Douglas, Deputy Attorney General and the court reporter sworn in for this matter was Lindy Meyer. Mr. Douglas requests a continuance of this matter to work on a settlement agreement. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to CONTINUE this matter.

Holt/Krejsa, 6/0/0

(Dr. Stewart was out during this matter)

**James Spoto, M.D., Initial TMP Application, Cause No. 2006 MLB 0001**

Respondent did appear in person and was not represented by counsel regarding an Appeal of Application Denial scheduled before the Board. The Board was represented in this matter by Deputy Attorney General, James Schmidt and the court reporter sworn in for this matter was Lindy Meyer. Mr. Michael Rinebold was sworn in as a witness. Dr. Spoto's initial application was previously reviewed by the Board and denied. He has appealed that denial. He has been arrested twice in which he was ordered into counseling for anger management problems. His first arrest he put his fist through his girlfriends apartment wall. The second arrest was for shoplifting. In 2001 he stole a computer modem. He stated that he has never had reprimands at work and no malpractice issues. He is currently not in counseling. Mr. Rinebold relayed the information from conversations with his Case Manager about her conversation with Dr. Spoto. He stated that during the phone call Dr. Spoto was very angry and at the end of the conversation Dr. Spoto wished he had a gun he could just kill someone.

Although not sure of the context in which the statement was made, Mr. Rinebold indicated that his Case Manager was upset by this phone call enough that she discussed the call with him after the call was concluded. Dr. Spoto was surprised that the IPLA staff took that as a threat as he didn't mean it to be he was just very frustrated. After having considered the evidence presented, testimony of the witness and taking official notice of its file in this matter the Board moved to UPHOLD the DENIAL.

Lankford/Stewart, 6/1/0, with Dr. Barai objecting

**Helmut Ahlert, M.D., License No. 01059114A, Cause No. 2005 MLB 0052**

Respondent did not appear in person and was not represented by counsel regarding a Renewal of Summary Suspension scheduled before the Board. The State of Indiana was represented by Steven Douglas, Deputy Attorney General and the court reporter sworn in for this matter was Lindy Meyer. An agreement between the Respondent and the Attorney General's Office was presented to the Board by Steven Douglas, Deputy Attorney General. The agreement included SUMMARY SUSPENSION until the completion of the State of Illinois matter and up to and including the day of the final hearing in Indiana. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to APPROVE the agreement.

Stewart/Krejsa, 7/0/0

**Jack Kevin Roll, M.D., License No. 01030836A, Cause No. 2004 MLB 0011**

Respondent did not appear in person and was not represented by counsel regarding a Final Hearing scheduled before the Board. The State of Indiana was represented by Laura Wilford, Deputy Attorney General and the court reporter sworn in for this matter was Lindy Meyer. Ms. Wilford sent a settlement agreement to the Respondent with an overnight return envelope but she has not received it back. She requests a continuance of this matter to see if a possible settlement will occur. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to CONTINUE this matter.

Lankford/Holt, 7/0/0

The Board further moved to RENEW the SUMMARY SUSPENSION for a period of ninety (90) days.

Lankford/Barai, 7/0/0

**Derek Tennenhouse, M.D., License No. 01056104A, Cause No. 2005 MLB 0032**

Respondent did not appear in counsel and was not represented by counsel regarding a Renewal of Summary Suspension scheduled before the Board. The State of Indiana was represented by Daniel Cavallini and the court reporter sworn in for this matter was Lindy Meyer. An agreement between the Respondent and the Attorney General's Office was presented to the Board by Daniel Cavallini, Deputy Attorney General. The agreement included RENEWAL of SUMMARY SUSPENSION for a period of ninety (90) days. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to APPROVE the agreement.

Stewart/Krejsa, 6/0/1, with Dr. Hold abstaining

**Subu Dubey, M.D., License No. 01039971, Cause No. 2004 MLB 0045**

Respondent did not appear in person and was not represented by counsel regarding a Notice of Proposed Default scheduled before the Board. The State of Indiana was represented by Steven Douglas, Deputy Attorney General and the court reporter sworn in for this matter was Lindy Meyer. The Respondent sent a letter to the Board asking not to be held in default. After having consider the evidence presented and taking official notice of its file in this matter the Board moved to NOT hold the Respondent in default and to have this matter set for a hearing after August 2006.

Krejsa/Stewart, 7/0/0

**Steven G. Parent, S.H.A.D., License No. 40001450A, Cause No. 2004 MLB 0032**

Respondent did not appear in person and was not represented by counsel regarding a Notice of Proposed Default scheduled before the Board. The State of Indiana was represented by Dan Cavallini and the court reporter sworn in for this matter was Lindy Meyer. The Respondent plead guilty to one (1) count of Felony theft and twenty-two (22) counts of check fraud. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to hold the Respondent's license in DEFAULT.

Lankford/Krejsa, 7/0/0

The Board further moved to REVOKE the Respondent's license and ordered the Respondent to pay a \$4,000 fine with in thirty (30) days from the date of the order.

Barai/Holt, 7/0/0

**Ramon Espinas Fermin, M.D., License No. 01042036A, Cause No. 2005 MLB 0027**

Respondent did not appear in person and was not represented by counsel regarding a Notice of Proposed Default scheduled before the Board. The State of Indiana was represented by Steven Douglas, Deputy Attorney General and Linda Batton, Deputy Attorney General and the court reporter sworn in for this matter was Lindy Meyer. The Respondent's license has been disciplined in the State of Illinois and California. He was impaired by alcohol during a surgery. Illinois placed his license on indefinite suspension and California revoked his license. After having considered the evidence presented and taking official notice of its file in this matter the Board moved to hold the Respondent's license in DEFAULT.

Lankford/Krejsa, 7/0/0

The Board further moved to REVOKE the Respondent's license.

Lankford/Stewart, 7/0/0

### **ADMINISTRATIVE LAW JUDGE RECOMMENDATIONS**

The following ALJ's were continued to the March meeting.

*Anne Francis Nicole, M.D.*

*Wallas Newton Bell, M.D.*

*Alan Ira Richman, M.D.*

### **DISCUSSION**

#### **Rule adoption of the Control of Pain through the prescribing of Controlled Substances**

The Board discussed the revised LSA Document #05-91. Michael Rinebold, Board Director recommended that the Board either allow the time to expire or withdraw from the rule promulgation. This would allow the Board and interested parties to work on new language given the feedback on the currently proposed rule. After discussion the Board moved to not move forward with the rule in its current form.

Holt/Krejsa, 7/0/0

#### **Preliminary Draft of LSA Doc #05-92 Office Based Surgery**

Michael Rinebold, Board Director informed the Board that the intent for this rule was filed in June with an extension until October. A meeting was scheduled for March 22, 2006 to discuss this rule in further detail with the interested parties.



*Barbara Malone*

Barbara Malone, Secretary  
Medical Licensing Board of Indiana

Ann Govier, M.D. – Modification of Probation Order – Dr. Govier is requesting a hearing to have her Probation Order modified. After discussion the Board moved to set this matter for a hearing.

Barai/Krejsa, 5/0/0  
(Dr.'s Beeson & Holt were not in attendance for this matter)

### **REVIEW OF INITIAL APPLICATIONS**

The Board reviewed the positive response information on the following applicants and approved them for issuance:

Kenneth Boren, M.D.	Dennis Burton, M.D.	William Dixon, M.D.
Edward Elicker, M.D.	Lee Fischer, M.D.	John Hill, M.D.
Carmel Person, M.D.	Richard Meisel, M.D.	Abigail Rayner, M.D.
David Schweck, M.D.	Ronald Pervin, M.D.	

Lankford/Krejsa, 7/0/0

The Board reviewed the positive response information on the following applicants and requested that they personally appear before the Board:

Sandeep Dube, M.D.	Catalino Dureza, M.D.	Maria Ghetu, M.D.
Marcellus Gilreath, M.D.	Robert Gross, D. O.	Steven Holley, M.D.
Sudhir Kapoor, M.D.	Shawn McPartland, M.D.	Angela Williams, M.D.

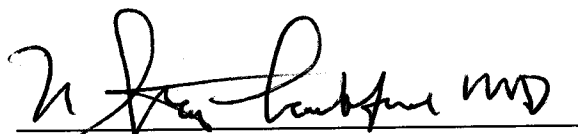
Malone/Barai, 7/0/0

The Board reviewed the positive response information on the following applicant and tabled the application for additional information:

Cyllene Briones, M.D.

Lankford/Barai, 7/0/0

There being no further business the meeting adjourned at 4:01 p.m.

  
N. Stacy Lankford, M.D., President  
Medical Licensing Board of Indiana